

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GALVANIZED STEEL CONSUMER
ASSOCIATION, *et al.*,

Plaintiffs,

-against-

AETEA SIERRA MARITIME
COMPANY LIMITED, *et al.*,

Defendants.
-----X

GEORGE B. DANIELS, District Judge:

Since the Second Circuit Court of Appeals has recently held that electronic fund transfers being processed by intermediary banks are not subject to attachment under Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims and Asset Forfeiture Actions of the Federal Rules of Civil Procedure, Shipping Corp. of India Ltd. v. Jaldhi Overseas Pte Ltd., 585 F.3d 58 (2d Cir. 2009); and that its decision applies retroactively, Hawknet, Ltd. v. Overseas Shipping Agencies, - - F.3d - -, 2009 WL 3790654 (2d Cir. Nov. 13, 2009),

IT IS HEREBY ORDERED THAT:

(1) This Court's Order for the Issuance of Process of Maritime Attachment and Garnishment pursuant to Rule B is vacated;

(2) Any funds attached shall be released by the garnishee bank in accordance with the original wire transfer instructions; and

(3) The Admiralty Rule B attachment of electronic fund transfers having been the sole basis for this Court's jurisdiction, the action is dismissed.

The Clerk of the Court is directed to close this case.

Dated: New York, New York
December 3, 2009

SO ORDERED:



GEORGE B. DANIELS
United States District Judge

ORDER

09 CV 6524 (GBD)

DEC 03 2009